

JUDGE JOHN C. COUGHENOUR
JUDGE MICHELLE L. PETERSON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

GUILD MORTGAGE COMPANY LLC,

Plaintiff,

vs.

CROSSCOUNTRY MORTGAGE LLC,

Defendant.

Case No. 2:21-CV-01376-JCC-MLP

**PLAINTIFF, GUILD MORTGAGE
COMPANY LLC'S NOTICE OF
CONDITIONAL NON-OPPOSITION TO
DEFENDANT CROSSCOUNTRY
MORTGAGE, LLC'S RENEWED MOTION
TO DISMISS FOR LACK OF SUBJECT
MATTER JURISDICTION**

**NOTED ON MOTION CALENDAR
DATE: SEPTEMBER 9, 2022**

Plaintiff Guild Mortgage Company LLC ("Guild") responds to Defendant CrossCountry Mortgage, LLC's ("CCM") Renewed Motion to Dismiss [Dkt. 108] as follows:

While Guild currently has no basis to dispute that subject matter jurisdiction in this case based on principles of diversity of citizenship between the parties does not exist, Guild intends to file a motion for significant sanctions against CCM. Guild intends to file its motion for sanctions during the week of September 5, 2022, and before the noting date for CCM's Renewed Motion to Dismiss (the noting date is September 9, 2022).

PLAINTIFF, GUILD MORTGAGE COMPANY LLC'S
NOTICE OF CONDITIONAL NON-OPPOSITION TO
DEFENDANT CROSSCOUNTRY MORTGAGE, LLC'S
RENEWED MOTION TO DISMISS- 1
USDC 2:21-cv-01376

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Los Angeles, CA 90013

1 Guild therefore hereby requests that this Court retain jurisdiction over this case, and not
 2 dismiss this case because of lack of jurisdiction, until the issue of appropriate sanctions against CCM
 3 has been fully briefed and decided by this Court. *See Orange Prod. Credit Ass'n v. Frontline*
 4 *Ventures Ltd.*, 792 F.2d 797, 801 (9th Cir. 1986); *Willy v. Coastal Corp.*, 503 U.S. 131, 139 (1992)
 5 (even where subject matter jurisdiction is lacking, the court still has authority to adjudicate matters
 6 regarding sanctions).

7 For the foregoing reasons, Guild hereby states that it does not oppose CCM's Renewed
 8 Motion to Dismiss if the Court will continue its decision on the Motion and will retain jurisdiction
 9 over this case until the issue of appropriate sanctions against CCM has been fully briefed and
 10 decided by this Court.

11
 12 Date: September 5, 2022

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 27 PLAINTIFF, GUILD MORTGAGE COMPANY LLC'S
 28 NOTICE OF CONDITIONAL NON-OPPOSITION TO
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 RENEWED MOTION TO DISMISS- 2
 USDC 2:21-cv-01376

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CERTIFICATE OF SERVICE

I hereby certify that on September 5, 2022, I electronically filed the foregoing document:
**PLAINTIFF, GUILD MORTGAGE COMPANY LLC'S NOTICE OF CONDITIONAL NON-
OPPOSITION TO DEFENDANT CROSSCOUNTRY MORTGAGE, LLC'S RENEWED
MOTION TO DISMISS FOR LACK OF SUBJECT MATTER JURISDICTION** with the Clerk
of the Court using the CM/ECF System which will send notification of such filing to the following:


Counsel for Defendant CrossCountry Mortgage, LLC:

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I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated this 5th day of September, 2022 at Sacramento, California.



Annie Yu

PLAINTIFF, GUILD MORTGAGE COMPANY LLC'S
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USDC 2:21-cv-01376

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